

711.03(c)



MANUAL OF PATENT EXAMINING PROCEDURE

PTO/SB/64 (2-98)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Docket Number (Optional)

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**First named inventor:** SAMUEL ROSE, M.D.**Application No.:** 08/782,590**Group Art Unit:** 1642**Filed:** JANUARY 13, 1997**Examiner:** SUSAN UNGAR, Ph.D.

Title: A METHOD AND COMPOSITION FOR TREATING CANCER BY CONVERTING SOLUBLE RADIOACTIVE TOXIC AGENTS INTO INSOLUBLE RADIOACTIVE TOXIC PRECIPITATES VIA THE ACTION OF NON-MAMMALIAN ENZYMES BOUND TO THE NON-ENDOCYTOSING RECEPTORS OF TARGET AGENTS

Attention: Office of Petitions**Assistant Commissioner for Patents****Box DAC****Washington, D.C. 20231**

NOTE: If information or assistance is needed in completing this form, please contact Petition Information at (703)305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to the Office action mailed on NOVEMBER 25, 1998, which set a 3 month/day period for reply.

The abandonment date of this application is MAY 26, 1999 (i.e., the day after the expiration date of the period set for reply plus any extensions of time obtained therefor).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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OFFICE OF PETITIONS
DEPUTY A/C PATENTS**1. Petition fee**

- Small entity - fee \$ 605 (37 CFR 1.17(m))
 Small entity statement enclosed herewith.
 Small entity statement previously filed.
 Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of CONTINUED PATENT APPLICATION (CPA) (PAC) (Identify type of reply):

- has been filed previously on _____
 is enclosed herewith.

11/18/1999 DIVISION 00000095 08782590

B. The issue fee of \$ _____
 has been paid previously in _____
 is enclosed herewith.

03 FC:241

605.00 OP

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

TB820201085 US

EXAMINATION OF APPLICATIONS

711.03(c)

PTO/SB/84 (2-88)

Approved for use through 8/30/00. OMB 0651-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

4. Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Where a petition under 37 CFR 1.137(b) is filed: NOTICE OF ABANDONMENT, MAILED AUGUST 17, 1999

(1) more than three months from the date the applicant is first notified that the application is abandoned, explain (on an attached sheet) in detail the cause of the delay in filing the petition;
 (2) more than one year from the date of abandonment, explain (on an attached sheet) in detail how the delay in discovering the abandoned status occurred and indicate the date that applicant first became aware of the date of abandonment.

NOVEMBER 16, 1999

Date

Signature

Telephone Number: (212) 599-2245/46JOHN Q. MCQUILLAN

Typed or printed name

261 MADISON AVENUE, 12th FLOORNEW YORK, NEW YORK 10016-2391

Address

Enclosures: Reply Fee Payment Terminal Disclaimer Form Small Entity Status Form

By completing the Certificate of Mailing, below, the date mailed will be considered the date this correspondence is filed.

CERTIFICATE OF MAILING [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, DC 20231.

Nov. 16, 1999

Date

Signature

JOHN Q. MCQUILLAN.

Typed or printed name of person signing Certificate

[Page 2 of 2]

TB820201085 US